

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 9. Off-Road Vehicles and Engines Pollution Control Devices

Article 4.7. Spark-Ignition Marine Engines

§ 2440. Applicability.

(a)(1) This article applies to model year 2001 and subsequent model year spark-ignition marine engines used to propel marine watercraft, unless otherwise indicated.

(2) Sterndrive and inboard engines are exempt from this article.

(3) Every new spark-ignition marine engine that is manufactured for sale, sold, or offered for sale in California, or that is introduced, delivered or imported into California for introduction into commerce, and which is subject to any of the standards prescribed in this article must be covered by an Executive Order, issued pursuant to this article.

(b) Each part of this article is severable, and in the event that any part of this chapter is held to be invalid, the remainder of this article remains in full force and effect.

(c)(1) For purposes of this article, military tactical vehicles or equipment means vehicles or equipment owned by the U.S. Department of Defense and/or the U.S. military services and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(2) This article shall not apply to engines used in off-road military tactical vehicles or equipment which have been exempted from regulations under the federal national security exemption, 40 CFR, subpart J, section 90.908, which is incorporated by reference herein. It shall also not apply to those vehicles and equipment covered by the definition of military tactical vehicle that are commercially available and for which a federal certificate of conformity has been issued under 40 CFR Part 91, subpart B, which is incorporated by reference herein.

(3) The U.S. Department of Defense shall submit to the ARB a list of all vehicles and equipment that are exempted under the above provisions and which are located in the State of California. If any additional vehicle and equipment types are added to the list during any calendar year, the U.S. Department of Defense shall update the list and submit it to the ARB by January 1 of the following year.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43105, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.

REFERENCE